

OPINION
49-19

March 10, 1949 (OPINION)

CITIES

RE: Courtesy Cards

Your letter of March 9, re use of so-called "courtesy cards" which would permit out-of-town guests to occupy parking space on city streets without said guest being liable for payment of fines, etc., has been received and sent to my desk.

You perhaps have in mind two or three opinions we gave regarding the use of a "courtesy coin" in parking meters. This, of course, is not the question here and your question has not been answered, so far as I know.

So long as your city ordinance makes one parking longer than a certain time in a certain place liable for a fine, it would seem that no one in the city would have authority, by means of a "courtesy card" or otherwise to make this ordinance inoperative. Certainly a city has the right in regulating parking to prescribe reasonable rules for parking and to prescribe the length of time a car may park in a certain place and to make the one parking his car there for a longer period liable to a fine for so doing. I believe, further, that the city would have a right to provide in the ordinance regulating parking for the issuance by the mayor, chief of police, or some other official, of such so-called "courtesy cards." The holder of such a card then would not be violating any provisions of the ordinance. This is merely a suggestion, for I do not see how any city officer could say that a penal ordinance should not apply to one person while it applies to all others.

WALLACE E. WARNER

Attorney General